

To: Mayor Mark D. Boughton and Members of the Common Council

Re: Minutes of the Common Council Committee Meeting held on April 23, 2007.

The meeting was called to order upon the close of the Public Hearings. The members were recorded as:

Present- McMahon, Nagarsheth, Johnson, Trombetta, Calandrino, Perkins, Visconti, Esposito, Chianese, Saadi, Cavo, Basso, Rotello, Diggs, Riley, Saracino, Seabury, Stanley and Taborsak

Absent: Teicholz (Undergoing medical treatment).

19 PRESENT - 1 ABSENT – 1 VACANT SEAT

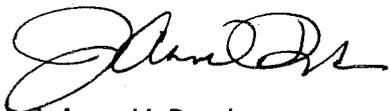
Appointment Membership and Terms (Charles Ives Authority for the Performing Arts) – Section 13A-58

Attorney Pinter said they had already adopted larger components of this authority; this is request to amend the section permitting the appointment of alternate members. It is the same language as for the regular members.

Mrs. Saracino made a motion to recommend the council approve this at the next meeting. Mr. Rotello seconded the motion.

Mr. Cavo then called the vote on the motion and it was passed with sixteen AYES and three NAYS (Perkins, Saadi & Visconti). Mrs. Taborsak abstained from the vote.

Respectfully submitted,



JoAnne V. Read
Secretary



92-1

ORDINANCE
CITY OF DANBURY, STATE OF CONNECTICUT
COMMON COUNCIL

Be it ordained by the Common Council of the City of Danbury:

Sec. 13A-56. Creation; powers and responsibilities.

- (a) *Creation.* The common council of the City of Danbury (hereinafter referred to as "city"), a municipality of the State of Connecticut, hereby creates a public body politic and corporate under the name and style of The Charles Ives Authority for the Performing Arts (hereinafter referred to as "authority").
- (b) *Powers.* Such authority shall have the following powers and responsibilities:
- (1) In affiliation with Western Connecticut State University, to administer, operate and maintain Ives Concert Park, including all structures;
 - (2) To contract and be contracted with in order to administer, operate and maintain said park consistent with facilities use and lease or license agreements entered into with Western Connecticut State University;
 - (3) To make, amend and repeal bylaws, rules and regulations not inconsistent with general law to carry out its purposes;
 - (4) To construct and reconstruct park facilities as authorized by law only within said park;
 - (5) To fix and revise from time to time and to charge and collect fees, rents and other charges for the use of any project or facilities thereof on behalf of the authority and in an amount sufficient to pay operating and maintenance expenses, the annual principal and interest on bond heretofore or hereafter issued by the authority to finance the construction and reconstruction of park facilities within said park and the principal and interest of any obligations the authority may incur;
 - (6) To make an annual audit, consistent with general law, of the financial transactions of the authority. The treasurer elected by the members of the commission shall be bonded in an amount determined pursuant to Section 7-148 of the General Statutes of Connecticut, as amended;
 - (7) To issue its bonds, notes or other obligations as authorized by Connecticut General Statutes, Sections 7-130a to 7-130x, inclusive, as amended, to be paid solely from the revenues of the authority;
 - (8) To accept loans or grants from the city or any other person, government or agency thereof, for the purposes of the authority; and,
 - (9) To appoint or dismiss an executive director and to adopt an annual budget for the administration of the park under the overall direction of the authority, the fiscal year of said budget to commence on October 1 of each year.

Sec. 13A-57. Articles of Incorporation.

The articles of incorporation of the authority are as follows:

- (a) The name of the authority and the address of its principal office shall be: Charles Ives Authority of the Performing Arts, City Hall, Danbury, Connecticut.

(b) The authority is created under Connecticut General Statutes, Sections 7-130a to 7-130x, inclusive, as amended.

(c) The participating political subdivision is the City of Danbury, Connecticut.

(d) The initial members of the authority, their addresses, and terms of office, shall be as appointed by the city.

(e) The authority is created for the sole purpose of administering Ives Concert Park with the power granted to such authority by this enacting ordinance.

Sec. 13A-58. Commission of authority – Appointments; membership; terms.

(a) Members.

The mayor of the city, with the approval of the majority of the common council, shall select and appoint the members of said authority which shall consist of nine (9) members. Three of the appointees selected by the mayor shall be persons nominated by the President of Western Connecticut State University. Said members will possess backgrounds in either the performing arts, development or finance. The terms of three (3) of the initial members of the commission shall be one (1) year, of another three (3) initial members two (2) years, and of the last three (3) initial members, three years. Upon expiration of the term of an initial member, all appointments will be made for a term of three (3) years.

(b) Alternate Members.

Three (3) alternate members to the Authority shall be appointed by the Mayor of the City of Danbury and approved by the Common Council. The term of office of said alternates shall be for three (3) years or until their successors have been chosen and qualified.

Sec. 13A-59. Same – Compensation of members

No members of such authority may receive any compensation for their services, but they shall be entitled to reimbursement for the amount of actual expenses incurred by them in performance of their duties.

Sec. 13A-60. Perpetual Existence.

The authority shall remain in existence perpetually unless terminated by the city.